

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GRIFOLS, S.A. and GRIFOLS SHARED
SERVICES NORTH AMERICA, INC.,
Plaintiff,

v.

DANIEL YU, GOTHAM CITY RESEARCH LLC,
GENERAL INDUSTRIAL PARTNERS LLP, and
CYRUS DE WECK,
Defendants.

Index No. 1:24-cv-00576-LJL

**NOTICE OF ANTI-SLAPP MOTION FOR ATTORNEY’S FEES
AND OTHER RELIEF UNDER N.Y. CRL §§ 70-a and 76-a**

PLEASE TAKE NOTICE that pursuant to New York Civil Rights Law §70-a and §76-a, Defendants Gotham City Research LLC, Daniel Yu, General Industrial Partners LLP and Cyrus de Weck (collectively “Defendants”, “Gotham”) will move this Court at 500 Pearl Street, New York, New York, on a date and time designated by the Court, for an order granting the Defendants’ anti-SLAPP Motion for attorney’s fees and other relief deemed necessary.

The motion is made on the grounds that:

1. Both Grifols’ complaint and amended complaint (the “Pleadings”), are by definition a SLAPP suit aimed at the exercise of Gotham’s speech on a matter of “public interest” under N.Y. CRL § 76-a.
2. The consequence of a dismissal of Grifols’ Pleadings under F.R.C.P. 12(b)(6) is a mandatory award of fees under N.Y. CRL § 70-a, as Sec. 70-a’s heightened “substantial basis” standard is necessarily reached upon the Pleading’s failure to meet the lower bar of Rule 12(b)(6)’s *plausibility* standard.
3. Even if part or all of the Pleadings are not dismissed on Rule 12(b)(6) grounds, Gotham is still entitled fees under § 70-a because Grifols’ Pleadings fail to meet the heightened *substantial basis* standard that New York law applies to SLAPP actions.

Wherefore, Defendants request that they be awarded reasonable attorneys' fees upon and following the Court's ruling on their Motion to Dismiss together with such other relief as the Court deems just and proper.

Dated: New York, New York
January 31, 2025

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